

**REGULAR CITY COUNCIL MEETING
FRISCO MUNICIPAL COMPLEX
8750 MCKINNEY ROAD
COUNCIL CHAMBERS
FRISCO, TEXAS 75034
5:30 P.M.**

December 3, 2002

MINUTES

1. Call to Order

Mayor Simpson called the Meeting to Order at 5:30 p.m. and announced a quorum was present.

Council members present were: Mayor Simpson, Deputy Mayor Pro-Tem Maso, Council member Allen, Council member West, Council member Lafata and Council member Nichols (arrived at 6:30 p.m.).

Absent: Mayor Pro-Tem Reveal due to family business.

Staff present were: City Manager George Purefoy, Assistant City Manager Scott Young, Assistant City Manager Jason Gray, Director of Planning and Development John Lettelleir, City Engineer Frank Jaromin, Zoning & Subdivision Administrator Doug Mousel, City Attorney Richard Abernathy and City Secretary Nan Parker.

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code

Deputy Mayor Pro-Tem Maso moved to recess into Closed Session at 5:35 p.m. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

Mayor Simpson announced the Council was in Closed Session at 5:35 p.m. as authorized by the Texas Government Code, to wit:

- a) Section 551.086. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.

- b) Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
 - i) south of Eldorado Parkway, north of Stonebrook Parkway, east of Teel Parkway, and west of SH 289.
 - ii) south of Stonebrook Parkway, north of Wade Blvd., east of Parkwood Blvd., and west of Preston Road.
 - iii) south of FM 3537, north of Rolater Road, east of Preston Road, and west Hillcrest Road.
 - iv) The purchase of 0.4± acre of land south of Eldorado Parkway, east of Preston Road.
- c) Section 551.074. Evaluation of City Manager.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session

Council member Allen moved to reconvene into Regular Session at 6:30 p.m.. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

4. Invocation

Mike Ballard, Shepherd's House, offered the prayer.

5. Pledge of Allegiance

Jordon Bidwell led the audience in the Pledge of Allegiance.

6. Citizen Input

Dr. Erwin Pink and Bob Warren representing the Heritage Association were present to address the Council regarding the recently released book "Frisco: The First One Hundred Years" written by Steve Quinn. They made a presentation of the first book to the City of Frisco – Mayor Simpson and City Manager George Purefoy.

Discussion only, no formal action was taken.

7. Reports

The Council reviewed the reports that were placed in the packets. The following items were reviewed:

- a) Introduction of Megan Yardley, Miss Frisco 2003 and Chase Brown, Miss Teen Frisco 2003 – Mayor Simpson introduced Megan Yardley, Miss Frisco 2003 and Chase Brown, Miss Teen Frisco 2003.

Mayor Simpson introduced Megan Yardley, Miss Frisco 2003. Megan stated that she was proud to represent the second fastest growing City in the United States.

Mayor Simpson introduced Chase Brown, Miss Teen Frisco 2003. She stated that she is a sophomore attending Booker T. Washington High School in Dallas. She stated that she is proud to represent the City of Frisco 2003.

- b) Presentation Regarding the Establishment of the North Texas Enterprise Center for Technology (FEDC)

Representative of NTEC, Inc North Texas Enterprise Center for (Medical) Technology was present to address the Council and announced the relocation of his company to the City of Frisco.

- c) Presentation of National Night Out Plaque to Frisco Citizens Crime Watch (Police)

Mayor Simpson presented the 8th Annual Consecutive Award for National Night Out to the Plaque was presented to the Frisco Citizens Crime Watch. Chief Renshaw thanked Officer Robert Monte, Lt. Joe Williams and Fire Chief Mack Borchardt for their help and participation in the event.

- d) Planning & Development Monthly Report (Planning)

Discussion only, no formal action was taken.

- e) Report and update on the screening wall and lighting improvements for Hillcrest Medical Center located at the southeast corner of Lebanon Road and Hillcrest Road. (Planning)

Director of Planning John Lettelleir updated the Council on the status of the screening wall and lighting improvements for Hillcrest Medical Center. He stated that there are two lights that were placed at 30'; the developer has agreed to move the lights to the required height. Mr. Lettelleir stated the brick has been ordered to raise the height of the screening wall to 8' to 8.5' in some areas.

- f) Report and update on altering the street design for the unbuilt portion of High Shoals Drive east of the Pioneer Middle School (Planning)

Mr. Lettelleir updated the Council on alteration of street design for the unbuilt portion of High Shoals. He stated the developer is

considering tree islands in the intersections and making the street one-way. He stated that Fire Department has been involved in making the decisions.

g) Project Status Tracking Reports

Discussion only, no formal action was taken.

h) Parks and Recreation Staff Report (Parks and Recreation)

Rick Wieland, Director of Parks & Recreation was present to address the Council. He reminded the Council of Merry Main Street on December 7, 2002 in Downtown Frisco.

Mr. Wieland informed the Council that on November 22, 2002 the Parks & Recreation Department was recognized at the Texas Recreation and Parks Society Region 2 and 3. Mayor Simpson recognized the Senior Adult Advisory Council of Frisco that was recognized as the Region Advocate of the year for the Dallas Region.

Mr. Wieland stated Region 2 & 3 had recognized the Parks & Recreation Staff for the Promotional Award. Mayor Simpson presented an award to Marcy Jones in recognition of her efforts to promote and market all of the programs, events and activities throughout the past year.

i) Engineering Staff Report (Engineering)

Discussion only, no formal action was taken.

8. Consent Agenda

The Consent Agenda was considered for approval. Deputy Mayor Pro-Tem Maso moved to approve the Consent Agenda as presented. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

- A. Approval of the minutes of the Regular City Council Meeting of November 19, 2002. (City Secretary)
- B. Approval of 380 Sales Tax Grant Payment to General Growth Properties in the amount of \$319,495.84 for the 4th Quarter of Fiscal Year 2002. (City Manager/KH)
- C. Authorization to purchase through the HGAC two (2) new Holland LB1110 Backhoe-Loaders for the Street Department at \$42,583.73 each for a total of \$85,167.45

- D. Approval of payment of Invoice Number 1557543 in the amount of \$591.63 to Carter-Burgess for completion of the Master Plan and Cost Estimate for the Southeast Community Park. Work performed during October 2002. (Parks and Recreation)
- E. Approval of payment of Invoice Number 155746 in the amount of \$61,349.53 to Carter-Burgess for Construction Documents for the completion of McKinney Road Park. Work performed during October 2002. (Parks and Recreation)
- F. Approval of initial funding of sidewalk improvements and matching local funds of at least 20%, for the TxDOT Safe School Program, and adoption of **Resolution No. 02-12-187R** authorizing the Assistant City Manager to execute four applications to the program. (Engineering)
- G. Approval of pay estimate number 4 for the Downtown Parking Lot Project in the amount of \$50,176.15 to JG Builder's, Inc. (Engineering)
- H. Approval of pay request number 2 for the Frisco Sport Complex Public Infrastructure Improvements (turn lanes) in the amount of \$76,577.31 to R-Con, Inc. (Engineering)
- I. Approval of change order number 1 for engineering design services from the Thompson-Roberts Group for the reconstruction of Fourth Street in the amount of \$3,150.00. (Engineering)
- J. Approval of the purchases for a total of eight (8) 2003 Police Vehicles through the Tarrant County Cooperative Purchasing Agreement: 4-Ford Crown Victoria Police Interceptors for Patrol, 2-Chevrolet Impalas for Patrol, and 2-Chevrolet Tahoes for Patrol and Administration. (Police)

END OF CONSENT AGENDA

Regular Agenda

9. Public Hearing: UA2002-10 Request to abandon a 0.478 acre drainage easement being a part of Meadow Creek, City of Frisco, Denton County, Texas and adoption of an Ordinance approving same. Requested by Paragon/Tower 720, L.P. (Engineering)

Deputy Mayor Pro-Tem Maso moved to open the public hearing. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

There being no one else present to address the council, Council member West moved to close the public hearing. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

Following discussion, Council member Allen moved to adopt **Ordinance No. 02-12-133** therein abandoning a 0.478-acre drainage easement, being a part of Meadow Creek, City of Frisco, and Denton County, Texas. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

10. Public Hearing: UA2002-06 Request to abandon a ten (10) foot water easement being a part of Griffin Parc, Phase 2, City of Frisco, Denton County, Texas and adoption of an Ordinance approving same. Requested by Blackard Developments. (Engineering)

Council member Lafata moved to open the public hearing. Council member Allen seconded the motion. Motion carried. Vote: 5-0.

There being no one else present to address the council, Council member Lafata moved to close the public hearing. Council member Allen seconded the motion. Motion carried. Vote: 5-0.

Following discussion, Council member Allen moved to adopt **Ordinance No. 02-12-134** therein abandoning a ten (10) foot water easement being a part of Griffin Parc, Phase 2, City of Frisco, Denton County, Texas. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

11. Public Hearing: UA2002-08 Request to abandon a 0.26 acre street easement being a part of Griffin Parc, Phase 3 and Griffin Park 4, city of Frisco, Denton County, Texas and adoption of an Ordinance approving same. Requested by Blackard Developments. (Engineering)

Council member Allen moved to open the public hearing. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

There being no one else present to address the council, Council member Allen moved to close the public hearing. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

Following discussion, Council member Allen moved to adopt **Ordinance No. 02-12-135** therein abandoning a 0.26 acre street easement being a part of Griffin Parc, Phase 3 and Griffin Park 4, city of Frisco, Denton County, Texas. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

12. Public Hearing: UA2002-09 Request to abandon a 0.202 acre sanitary sewer easement being a part of Collin County School Land Survey, Abstract No. 149, City of Frisco, Collin County, Texas and adoption of an Ordinance approving same. Requested by Warren/Legacy, L.P. (Engineering)

Council member Lafata moved to open the public hearing. Council member Nichols seconded the motion. Motion carried. Vote: 5-0.

There being no one else present to address the council, Deputy Mayor Pro-Tem Maso moved to close the public hearing. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

Following discussion, Council member Lafata moved to adopt **Ordinance No. 02-12-136** therein abandoning a 0.202 acre sanitary sewer easement being a part of Collin County School Land Survey, Abstract No. 149, City of Frisco, Collin County, Texas. Council member Nichols seconded the motion. Motion carried. Vote: 5-0.

13. Consider and act upon adoption of the Information Technology Master Plan. (City Manager's Office/JG)

Assistant City Manager Jason Gray updated the Council on the IT Master Plan. Mr. Gray stated the document is very lengthy. Council member Allen moved to **table** the item until a work session can be held in early January. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

14. Consider and act upon adoption of a Resolution Supporting Economic Development throughout the Municipalities of Collin County, Texas. (City Secretary)

Council member Lafata moved to adopt **Resolution No. 02-12-187R** therein-supporting Economic Development in and throughout the Municipalities of Collin County, Texas. Deputy Mayor Pro-Tem Maso seconded the motion. Motion carried. Vote: 5-0.

15. Consider and act upon adoption of an Ordinance amending Ordinance No. 02-04-46 (Sign Code) to establish sign regulations for businesses located on a thoroughfare undergoing major construction and that desire additional signage opportunities to improve visibility and direction to the business. (Planning)

Doug Mousel was present to address the Council regarding the content of the ordinance amending the current sign ordinance (Ordinance No. 02-04-46).

Council member Lafata moved to adopt **Ordinance No. 02-12-137** therein amending Ordinance No. 02-04-46 (Sign Ordinance) to establish sign regulations for businesses located on a thoroughfare undergoing major construction and that desire additional signage opportunities to improve visibility and direction to the business subject to: (1) final review by the City Attorney; and (2) Temporary signs to be removed at staff's direction upon completion of the major construction along the thoroughfare (revocation clause to be added in the ordinance). Council member West seconded the motion. Motion carried. Vote: 5-0.

16. Plantation Square:

- a) **Continue Public Hearing: Specific Use Permit SUP 2002-0011. Consider and act upon approval of a request for a Specific Use Permit for a mini-warehouse on one lot on 4.9± acres located on the north side of College Parkway, 270+ west of Coit Road. Zoned Commercial-1. Neighborhood #25. Applicant(s): Frisco Storage Partners, LP. (Planning)**

Council member Allen moved to remove the item from the table and continue the public hearing. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

Doug Mousel updated the Council on staff and the Planning and Zoning Commissions' recommendations.

Jim Lee, applicant was present to address the Council. Carlos Biyon was present to speak in favor of the request.

John Gillette was present to speak against the request. He voiced concerns about the warehouses being adjacent to homes. He stated that he has seen individuals living in warehouses, bands, drug labs, and hazardous materials being stored in the facilities. He (Gillette) voiced concerns about off-loading of trucks at late hours of the evening.

There being no one else present to address the council, Deputy Mayor Pro-Tem Maso moved to close the public hearing. Council member Allen seconded the motion. Motion carried. Vote: 5-0.

Following discussion, Deputy Mayor Pro-Tem Maso moved to approve the request subject to:

- 1) Reduction in the side setback from 20 feet to eight feet for the easternmost buildings.

- 2) Provision of two points of access to the property.
- 3) The color of the brick of the six-foot high screening wall constructed along the north and west property line shall match the color of the brick of the screening wall along the perimeter of the Plantation Estates subdivision. The six-foot screening wall will be on the south side of the structure located along the north side of College Parkway, the building shall serve as the screening on the west side and then six-foot screening wall will continue along the northern portion of the structure.
- 4) Minimum three-inch caliper evergreen trees planted on 30-foot centers shall be provided in a 20-foot landscape buffer along the west and north side of the subject property.
- 5) Adoption of renderings detailing the plantation architectural theme of the mini-warehouse facility and to be used for the review of the future commercial, retail and offices on the remaining property at this corner.
- 6) Hours of operation shall be from 8:00 a.m. through 8:00 p.m.

Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

- b) **Consider and act upon approval of a Preliminary Site Plan: Plantation Square, Block A, Lots 1-3. A mini-warehouse facility and three retail buildings on 9.3+ acres on the northwest corner of Coit Road and College Parkway. Zoned Commercial-1. Requested zoning is a Specific Use Permit for a Mini-Warehouse. Neighborhood #25. Applicant(s): Frisco Storage Partners, LP. Tabled 11/19/02 (Planning)**

Council member Allen moved to approve the Preliminary Site Plan subject to the adoption of the ordinance granting the specific use permit. Council member West seconded the motion. Motion carried. Vote: 5-0.

17. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Agreement for Architectural Design Services by and between the City of Frisco and HHPA for City Hall. Tabled 11/19/02 (City Manager's Office/SY)

Council member Lafata moved to remove the item from the table. Council member Lafata rescinded his motion. The item was left on the table.

18. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Agreement for Architectural Design Services by and between the City of Frisco and Quorum Architects for a Public Works Facility. Tabled 11/19/02 (City Manager's Office/ Scott Young)

Council member Allen moved to remove the time from the table. Council member West seconded the motion. Motion carried. Vote: 5-0.

Assistant City Manager Scott Young addressed the Council regarding the Agreement.

Council member Lafata moved to adopt **Resolution No. 02-12-189R** therein authorizing the City Manager to execute an Agreement for Architectural Design Services by and between the City of Frisco and Quorum Architects for a Public Works Facility. Council member West seconded the motion. Motion carried. Vote: 5-0.

19. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Agreement for Architectural Design Services by and between the City of Frisco and PGAL for Police/Holding Facility. Tabled 11/19/02 (City Manager's Office/SY)

Council member Allen moved to remove the item from the table. Council member West seconded the motion. Motion carried. Vote: 5-0.

Assistant City Manager Scott Young addressed the Council regarding the Agreement.

Following discussion, Deputy Mayor Pro-Tem Maso moved to adopt **Resolution No. 02-12-190R** therein authorizing the City Manager to execute an Agreement for Architectural Design Services by and between the City of Frisco and PGAL for Police/Holding Facility. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

20. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Agreement for Architectural Design Services by and between the City of Frisco and F&S Partners for a Recreation/Aquatic Center. Tabled 11/19/02 (City Manager's Office/SY)

Council member Allen moved to remove the item from the table. Council member West seconded the motion. Motion carried. Vote: 5-0.

Council member Lafata moved to adopt **Resolution No. 02-12-191R** therein authorizing the City Manager to execute an Agreement for Architectural Design Services by and between the City of Frisco and F&S Partners for a Recreation/Aquatic Center. Council member West seconded the motion. Motion carried. Vote: 5-0.

21. Discussion regarding Twin Falls Drive. (City Council/JW)

City Engineer Frank Jaromin and Traffic Engineer Brian Moen were present to update the Council on traffic control devices regarding Twin Falls Drive. Mr. Moen informed the Council, based on data collected from traffic counts on Twin Falls and Angel Falls, and TxDOT's draft version of the Texas Manual of Uniform Traffic Control Devices, a multi-stop sign is warranted for the intersection of Twin Falls and Angel Falls. He (Moen) stated the sign should be in place no later than Thursday, December 5, 2002.

22. Discussion of water system improvements. (City Manager)

Mr. Purefoy discussed the water system improvements and the inclusion of Prosper. The general consensus of the Council was to bring the item back for action at a later date.

23. Consider and act upon adoption of an Ordinance prohibiting the use of the Flexible Corrugated Stainless Steel Gas Piping Systems. Tabled from 11/5/02 (Fire Department)

Richard Abernathy stated that he had spoken to Art Anderson, Attorney. He (Anderson) requested the item be tabled until December 17, 2002 until the executive summary may be completed for presentation to the Council. The Council informed Mr. Anderson they would need time to review the executive summary and requested the summary be provided in "lay terms".

John Gillette commended the Council for their proactive approach to decrease the risks of fires and for the concerns for public safety.

Following discussion, Deputy Mayor Pro-Tem Maso moved to **table** the item until December 17, 2002. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

24. Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Impact Fee Agreement by and between the City of Frisco and Eland Energy, Inc. (City Manager)

Mr. Purefoy updated the Council on the Impact Fee Agreement by and between the City of Frisco and Eland Energy, Inc. that was negotiated approximately 3-4 years ago. He (Purefoy) stated that the agreement had the impact fees for the property priced at \$10,000 per acre rather than \$12,000 per acre because the agreement was negotiated on the past assessments.

Following discussion, Council member Allen moved to adopt **Resolution No. 02-12-192R** therein authorizing the City Manager to execute the Impact Fee Agreement by and between the City of Frisco and Eland Energy, Inc.

Council member Lafata seconded the motion. Motion carried. Vote: unanimous.

25. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to the Planning & Development Department, pursuant to Article IV, Section 1.07(C) of the Comprehensive Zoning Ordinance and/or Section 4.05 of the Subdivision Regulation Ordinance, regarding action taken by the Planning & Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to the Planning & Development Department.

Director of Planning John Lettelleir informed the Council the (above) language would be routine on each agenda in the event of an appeal of the Planning & Commission's denial of a site plan or plat. No action was taken.

26. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda

The City Council reviewed the discussion of the current meeting and determined the following items require additional review by Staff:

27. Discussion on Governance Monitoring of present City Council Meeting

Council member Lafata monitored the present City Council Meeting. Council member Lafata stated he felt the Executive Session beginning at 5:30 p.m. worked very well. Discussion only, no formal action was taken.

28. Adjourn

There being no additional business Council member Allen moved to adjourn the meeting at 9:35 p.m. Council member Lafata seconded the motion. Motion carried. Vote: 5-0.

E. Michael Simpson, Mayor

Nan Parker, City Secretary, TRMC/CMC

E. Michael Simpson, Mayor

ATTEST:

Nan Parker, City Secretary

Date of Approval: December 17, 2002